

YELLOW FREIGHT SYSTEM, INC.

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OVERLAND PARK, KANSAS

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Office of the Secretary

MAY 12 2000

May 9, 2000

Part of

The Honorable Linda Morgan, Chairman U.S. Surface Transportation Board 1925 K Street, N.W. Suite 600 Washington, D.C. 20412

RE:

Section 5A Application No. 61 (Sub No. 6) National Classification Committee - Agreement



## Dear Chairman Morgan:

My name is Stephen G. Nodolf, Director of Revenue Management, Yellow Freight System, Inc., P.O. Box 7980, Overland Park, KS 66207. Yellow Freight System, Inc. is a motor carrier of general commodities operating in interstate and intrastate commerce and participates in the National Motor Freight Classification (NMFC). I have been a representative for Yellow Freight System, Inc. serving on the National Classification Committee (NCC) since March 1998. I am writing on behalf of Yellow Freight System, Inc. to support the NCC's classification process.

I am aware that the NCC encourages shippers to participate in the classification process and urges them to attend and participate in our meetings. I have personally observed shippers attendance and participation in the classification process. To say shippers have no role in, or that the classification process is unfriendly to them, is completely inaccurate. I have personally witnessed numerous instances where members of this organization or its staff have encouraged shippers to exercise their right to participate fully in the NCC's classification process. Members and staff of the NCC solicit input from shippers when their products are being researched, and incorporate any information provided by shippers into the classification process.

Shippers are welcome to attend and participate in the open sessions of the classification meetings and provide input on any potential amendments to the NMFC. The NCC offers services to shippers free of charge, while carrier members support the classification system by paying an annual participation fee.

The classification is essential to the motor carriers' pricing systems and I take my responsibility as a NCC member very seriously. In its consideration of a classification matter, the NCC carefully evaluates all of the pertinent information that is presented without regard to whether the facts were submitted by carriers, shippers or the NCC. In fact, classification panels or the NCC usually look for ways to help the proponents obtain the result their proposals are seeking. However, assistance to proponents can not compromise the basic principle of classification making, i.e., to group each product with other commodities having comparable transportation characteristics, so as to promote the equitable distribution of the transportation burden.

The NCC's staff of Classification Specialists is available for assistance to the shipping public, as well as to the NCC membership. My company routinely and often advises customers to avail themselves of services provided by the NCC. It has always been my experience that the staff is available and willing to help anyone - member carriers and the public alike - with research on any given commodity, as well as advice on packaging and interpretations of classification provisions. If that were not the case, we certainly would not refer our customers to them.

Page 2
May 9, 2000

Shippers frequently take advantage of their option to docket proposals for amendment to the NMFC. Our staff is available to provide them with technical assistance in developing their proposals, advise them regarding the applicable classification guidelines and assist in structuring their proposals in the proper tariff format. Our staff has been directed to provide notice to shippers and get them involved in the classification process as early as possible. However, I would strongly urge shippers to be proactive and supply pertinent data so that the NCC's classification decisions can be made based on the best possible information.

It has been suggested that the reports and analyses prepared and provided by the NCC staff does not provide an accurate representation of the data that has been assembled. This suggestion is completely without basis, and the staff is fully aware that a failure to provide anything but accurate data would be unacceptable. It is absolutely necessary for the NCC's members to receive unbiased information in order for them to properly discharge their responsibilities on behalf of the NCC.

As a member of the NCC, I am willing to consider any improvements in the classification process, provided they do not compromise the integrity of the classification system. I would support the methodologies for increasing shipper participation that have been presented in the comments the NCC has filed in this proceeding.

Sincerely,

Stephen G. Nodolf

Director, Revenue Management Yellow Freight System, Inc.

Steph D Nobly

cc: Parties of Record